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60,426-268 (97P7720US03)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Ocstreicher et al.

ART UNIT: 3661

SERIAL NO.: 09/810,943

EXAMINER: Pipala, E.

FILED: March 16, 2001

FOR: A METHOD AND SYSTEM FOR DETERMINING WEIGHT
AND POSITION OF A VEHICLE SEAT OCCUPANT

ATTORNEY DOCKET NO: 60,426-268 (97P7720US03)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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TN
2/25/2004

RESPONSE

Dear Sir:

In response to the Office Action of December 2, 2003, Applicant requests consideration of the following arguments.

Claims 36-73 remain in the application including independent claims 36, 39, 41, 49, and 56. Claims 36-40 have been copied from U.S. Patent No. 6,039,344. Claims 56 and 57 are allowed. Claims 58-60 and 66-68 are indicated as allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

Claims 36-55 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Research Disclosure 39916 in view of Gagnon (US5810392), and further in view of Harris (US 3661220).

First, as Applicant has previously argued, Harris is non-analogous art. The test for analogous art is first whether the art is within the field of the inventor's endeavor and, if not, whether the art is reasonably pertinent to the problem with which the inventor was involved. In